

THE WETHERSFIELD RECORDER.

THE UNION, THE CONSTITUTION, AND THE LAWS—THE GUARDIANS OF OUR LIBERTY.

VOL. X.

THURSDAY, APRIL 9, 1840.

No. 1015.



THE FARMER.

A SONG—BY J. J. BARNETT.

Song at a meeting of the Agricultural Society of New Brunswick.

A farmer's life is the life for me—
I own I love it dearly;
And every season full of glo—
I take its labors cheerly;
To plough or sow,
To reap or mow,
Or in the barn to thresh, sir—
All's one to me,
I plainly see,
'Twill bring me health and cash, sir.
The lawyer's harassed life,
Much like a hunted otter;
And 'twixt his own and other's strife,
He's always in hot water;
For foo or friend,
A ease defend,
However wrong it may be, sir—
In reason's spite,
Maintains 'tis right,
And dearly earns his fee, sir.
The doctor's styled a gentleman,
But this I hold but humbug;
For like a tavern waiting-man,
To every call "he's coming;"
Now here, now there,
Most he repair;
Or starve, sir, by denying;
Like death himself,
Unhappy elf,
He lives by others dying.

A farmer's life, then, let us live,
Obtaining while I lead it,
Enough for self, and some to give
To such poor souls as need it.
I'll drain, I'll fence,
Nor grudge expense,
To give my land good dressing;
I'll plough, I'll sow,
Or drill in row,
And hope for Heaven's blessing.

THE ROBBER RECLAIMED.

FOUNDED ON FACT.

A worthy minister, whom I shall call the Rev. Mr. Moncrief, resided near Edinburgh, about the year 1746. He was generally esteemed for his piety and attention to his ministerial duties. He preached the whole truth of God, in a style plain and simple, calculated at once to inform the understanding, and under the divine blessing, to affect the heart. It was his custom to go from home annually to receive his yearly stipend; which was managed with so much care and frugality, that it became just sufficient for the support of the family, without any surplus at the end of the year. To the prudence and domestic economy of Mrs. Moncrief much of this was to be attributed. She neither affected the fine lady, nor did she bring herself into contempt by her vulgarity. She knew when to be silent, and when to speak; and instead of listening to the idle reports and vain talk of some busy bodies in the congregation, she heard the tales, and buried them in her own mind, without retailing them to others. The season having arrived when Mr. Moncrief took his journey for the purpose of receiving his stipend, he left home on foot, unattended and unarmed, and having settled his business, was returning to his habitation. Scarcely had he proceeded half way, before a young man presented himself before him, and promptly insisted on his money, at the same time raising a pistol to enforce his demand. The light of the moon enabled Mr. Moncrief to recognize in the robber no less a character than Saunders Maitland, a linen draper, who had recently failed. The firmness of the good minister astonished young Maitland. "This, sir," said he, "is my first attempt; I have been unfortunate; I am destitute of every thing. Your character I respect, and it is no intention of my heart to offer you either injury or insult, but distress impels me to this action." These words were delivered in so modest and humble a tone, they confirmed Mr. Moncrief in the sentiment that he was not lost in vice; and prompted by his sacred office, and a desire to deter the young man from his purpose, he began to reason with him, and pointed out to him in strong nervous language, the crime he was about to commit—the cruelty of depriving a minister of a whole year's subsistence for himself and family, and the awful end that awaited all who pursued so dangerous a course. Often he recalled to his mind the convictions of his conscience, and the admonitions he received in private, as well as in public; and added with a

firm voice, the end of these things is death.

Maitland listened with attention, and during the address his eyes and his pistol often fell below the plane of the horizon. For some time an internal conflict was maintained between the desire for the money and the sin of taking it. At length his conscience yielded, and in the most peremptory manner he demanded the money. The minister, aware that resistance would be vain, delivered his money to Maitland, and requested that he would listen to him for a few moments. "You say, young man, that this is your first attempt—take my advice, and to prevent your destruction, let it be your last. Go and use the money now obtained, in an industrious manner, and you shall not only have my forgiveness, but my prayers." Mr. Moncrief then raised his reverend eyes and hands to heaven, and implored mercy for the robber. They parted, the minister to his affectionate wife and family, and Maitland to—alas, he knew not whither!

The world was all before him where to choose his place of rest.

Happy, if he could have looked to Providence as his guide, or prayed for direction; but he could not pray. Afflicted with the most distressing feelings—sensible of his crime, and aware of the danger to which his life was exposed, he wandered about for some time, undetermined what would be his future proceeding. The solemn parting words of the minister still sounding in his ears, and his kindness melted his heart. At one time he resolved to return the ill-gotten booty, but then he knew that his apprehension might be the consequence, and his life the forfeiture.

Meantime the case of Mr. Moncrief was greatly commiserated by his affectionate parishioners; old and young spontaneously came forward, and more than compensated the loss he had sustained. Still he prayed for Maitland, and often wept as he entreated God to bring him to a sense of his sin, and to reclaim him from the paths of the destroyer.

At length Maitland heard of a vessel bound to India, and hastened on board. While there, he frequently reflected on the sin he had committed, and would gladly have restored the money he had so unwillingly taken, but this became every day more impracticable, and he now turned his attention to the minister's advice, to employ it honestly and industriously. He availed himself of the numerous advantages which commerce opens to the sailor, and by great assiduity and caution, aided by the blessings of Providence, which he earnestly sought, as well as the pardon of his sins, he succeeded beyond his most sanguine expectations. His desire and determination to refund the property he had stolen never forsook him, and he embraced the first opportunity of making restitution in person. More than twelve years, however, rolled away without presenting any facility of visiting Mr. Moncrief. At last he obtained a freight to Bordeaux, and thence to Leith, and having learned that Mr. Moncrief was still living with his wife and family at their old residence, he forwarded two pipes of excellent wine to him, but without mentioning from whom they came. When they arrived at the good minister's door, he was thrown into the greatest perplexity, observing, that for himself he could not afford to drink wine, that he had no cellar in which he could place it, nor did he possess any friend that was likely to send him so valuable a present. The whole, therefore, was obviously a mistake, and the wine was intended for some other person. He consented, however, to allow them for the present to be placed in his stable.

After making every inquiry to discover the real owner of the wine, and obtaining no information whatever, Mr. Moncrief concluded that time would develop the mystery. After a few days, a respectable-looking gentleman alighted from a carriage, and requested to see the minister. Being introduced, he said that he had been brought up in the country, and had constantly recollect him with esteem and veneration. He had taken the liberty of bringing a few trifles for the acceptance of Mrs. Moncrief. The presents consisted of some fruits, sicks, &c. of no small value. The stranger was invited to a very plain dinner, of which the family was about to partake, and at the conclusion of the repast politely requested a glass of wine. Mr. Moncrief apologized

at not having any, his income not allowing him to drink it. "It is true," said he, "that there are two pipes of wine in my stable, directed to me, but I do not know to whom they belong." The guest replied that he knew who sent them, and that Mr. Moncrief was to consider the wine as his own property. Some wine was immediately procured, and after the party had drunk health and happiness to their benevolent friend, Mrs. Moncrief and her children retired, leaving the husband and the stranger to themselves. The surprise and astonishment of the family can scarcely be imagined, and yet they could form no idea of the name or character of the guest.

Scarcely had the two gentlemen been left alone, when the stranger became visibly thoughtful, and labored apparently under great mental perturbation. As he sat, the crystal tears flowed in rapid succession, and his heart seemed ready to burst. Mr. Moncrief became alarmed, and was on the point of ringing the bell for assistance, when the stranger, looking wishfully at him, uttered in broken accents, "Excuse me, my dear and reverend sir—be not alarmed—my tears speak at once my pungent sorrow for the past, and my gratitude for the present moment." In an instant he drew out his purse, containing a sum of money, and with his pencil proceeded to make calculations, then placed on the table a second sum. "Now, dear sir," said he, with an expressive look of gratitude and humility, "behold your property restored, and the interest due thereon. Maitland, once the robber, offers you this day some restitution for his great offence. I did not reject the advice you gave me on that occasion. Your image has been constantly before my eyes. Frequently have I sought pardon of God, and prayed that blessings might descend upon you. The Almighty has, I trust, answered my prayers, and made me prosperous in regard to both worlds.

Moncrief looked with astonishment at the sum of the money. Time and a sea-faring life had left no traces of his former appearance; yet from the moment the first sum was laid down, a dawn of hope arose in his mind that the object was before him, for whose salvation he had so long supplicated.

The feelings of the parties may be better conceived than described. The pious minister beheld his prayers answered. He that stole wrought with his hands and restored what he had unjustly taken away. God prospered him in his endeavors to make restitution, and the robber became not only honest, but the friend of the man whom he had injured.

The New Jersey Contested Election.

TO THE AMERICAN PEOPLE.

We desire to call the attention of the whole country to the statement herewith exhibited, as a report prepared and presented to the House of Representatives, by the minority of the committee on elections, to which was referred the contested election from the state of New Jersey; and we especially desire to call their attention to the novel, extraordinary and dangerous circumstances, which have driven us to the necessity of thus appealing to our fellow-citizens from one end of the Union to the other; and we do it with the confident assurance, that they will give to the subject that careful and unprejudiced consideration which its importance demands, and their own future safety and interests imperiously require; that they will unite with us in the belief, which in the honest sincerity of our hearts we entertain, that the government under which we live, must soon become worse than a Turkish despotism, unless the people, in the majority of their strength, shall arise and rebuke the perpetrators of the outrage which has been committed on the constitution of the United States, the laws of one of the sovereign states of this Union, and the rights of the great body of the people themselves.

We will not enter into a minute detail of the means by which five of the representatives of the state of New Jersey, furnishing the highest evidence known to the laws of that state, that they had been regularly and constitutionally elected, were driven from their seats, previous to any investigation whatever, and denied all right to participate in the organization and proceedings of the house, and much less will we undertake here to pronounce upon the motives which led to this unparalleled proceeding.

We wish to take up this subject at another point, and let the country know what are the circumstances under which five other gentlemen from the state of public, and as representatives of the

New Jersey have been voted into seats in the house of representatives, who have presented no return, no credential, no commission; and this done when the members holding the commissions of the Governor of that state, under the seal of that commonwealth, were at home by leave of the committee, taking depositions to prove what they had at all times asserted they could prove—that they had received a majority of the lawful votes given at the polls.

The proceedings of the committee having charge of this subject, will be seen by reference to the report below, up to the time that the report of the majority of the committee was presented, and we now proceed to give a statement of what has since transpired.

But it must be remarked in advance that if the committee, having determined that an investigation was to be prosecuted behind the commission of the Governor, every principle of equity and fairness required that there should be a thorough search into the *legality* of the votes given for each party, and finding that there was no sufficient testimony before them by which it could be ascertained for whom a majority of the qualified voters of New Jersey had cast their votes, such still we hoped that before they struck the final blow, they might be induced to listen to reason and to justice. We appealed, but we appealed in vain—their resolution was as determined as it was unjust; they voted, and succeeded, and that by a boasted majority of thirty.

How was that majority obtained?

Only, because some of the members

regarding the outrages as highly gross and violent, refused to vote, or contribute to the formation of a quorum, for the adoption of a report and resolution not founded, as we all conceived, on the testimony of the case, and not warranted or justified by any consideration whatever.

A noble subject for boasting, truly.

Let them make the most of it.

It is matter of pride to us, that we, least,

resisted it, and resisted to the last.

We feel that we have discharged our

duty; if you are too indifferent to dis-

tinguish your votes, or receive alien votes,

and, in fact, receiving such votes, know-

ing that they were illegal; disregarding

all challenges of illegal votes, and per-

mitting persons, attempting to challenge,

to be driven away by threats and violence;

and fraudulently abstracting votes given

for them, and substituting others for their

opponents; and rejecting legal votes offered for them; and admitting illegal votes

on the other side; and they also submit-

ted to the committee a list showing about

230 illegal votes given and counted for

the non-commissioned claimants, and

three or four legal votes offered for the

commissioned members and rejected.—

They also alleged that they expected to

prove an extensive conspiracy among the

friends of the opposite set of claimants,

to perpetrate these frauds and obtain these

illegal votes; that they had taken some

evidence to establish said fact, but had

been prevented from completing the

process, because there was no law regulat-

ing the mode in which the same should

be obtained, or giving compulsory process

to compel the attendance of witnesses

and also because the friends of the non-

commissioned claimants had persuaded

witnesses not to attend for examination;

and had prevented officers from taking

depositions by intimidation and threats of

public prosecution for so doing; and they

had also refused to receive alien votes,

and, in fact, receiving such votes, know-

ing that they were illegal; disregarding

all challenges of illegal votes, and per-

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from its application at the present session scenes in a high degree discreditable to the house, and endangering the peace of the country, and which most greatly impair the confidence of all right-thinking people in the perpetuity of our free institutions.

Upon a careful examination of the laws of New Jersey, we ascertained that the Governor and Privy Council were mere ministerial officers, charged with a certain specified duty, plainly set forth, viz: to ascertain and determine which six of the persons voted for, received the greatest number of votes, according to the returns made by the clerks of the several cities of the state. That the individuals who were commissioned by the Governor of New Jersey, as the representatives of that state, had received the greatest number of votes thus returned according to law, was a fact not disputed or denied.

Finding this difference of opinion, however, to exist in the committee as to the basis of a report the mover of the original proposition modified the same, with the view of reaching the sense of the committee; and merely proposed, in general terms, that a preliminary report should be made, designating the individuals who should occupy the vacant seats, until the question of ultimate right could be determined; thus manifesting a disposition to have the seats filled, as the committee and the house might determine, according to their sense of justice and propriety.

But, from an apprehension, as we presume, that they could not succeed in the untenable ground they had taken, that the report should be made favorable to those who had obtained a majority of all the votes, legal and illegal, given at the election, the modified resolution was likewise rejected; and a substitute offered, which proposed to inquire who were entitled to be returned as members elected; evidently on the ground of good and bad votes; for when it was proposed to insert an amendment, which would make the case turn on the majority of legal votes, such amendment was strenuously resisted, and carried only by the casting vote of the chairman. This resolution, as ultimately adopted, was as follows:

"Resolved. That this committee will now proceed to ascertain which five of the ten individuals claiming the five vacant seats from New Jersey, received a majority of legal votes, and therefore, are duly elected members of the twenty-sixth Congress, from that state, according to the constitution of the United States, and the laws of New Jersey."

Thus it will be perceived that the committee came to an early determination to investigate the ballot boxes, and ascertain who were entitled to the seats on the ground of having received a majority of legal votes, in which decision we acquiesced; and, although our opinions were unchanged as to the propriety of the views we had expressed, we determined to make no further effort to procure a result that, in our judgments, every principle of justice demanded.

We then proceeded to the consideration of another resolution offered by one of the gentlemen of the majority, which, as amended and ultimately adopted, is as follows:

"Resolved further. That whilst in the opinion of this committee, the certificates of the Governor of New Jersey are *prima facie* evidence that those who hold them are entitled to the seats, they are not conclusive evidence as to the ultimate right; and that such certificates, being contested, such right must depend on the majority of legal votes given in conformity with the constitution of the United States and the laws of New Jersey.

On this resolution a division was called for, to wit, on the first branch, as follows:

"Resolved further. That whilst in the opinion of this committee, the certificates of the Governor of New Jersey are *prima facie* evidence that those who hold them are entitled to the seats, they are not conclusive evidence as to the ultimate right."

And those who have paid much attention to the progress of this question, both in the house and the country, will perhaps be somewhat amazed to hear that this proposition, for which alone we had contended in the house, and the defeat of which had caused a sovereign state in this Union to be deprived of five-sixths of her representation on the floor of Congress, and had excited the public mind in every part of the confederacy, met with the unanimous sanction of the committee.

The resolutions, as adopted, were communicated to all the parties engaged in the contest under the following resolution:

"Resolved. That the foregoing resolutions be communicated to each of the claimants to the vacant seats from the state of New Jersey, and that this committee will hear them at their committee room on the 23d day of January, instant, at 10 o'clock in the forenoon, on the subject of the measures which should be adopted to obtain the evidence applicable to the inquiry before the committee."

Accordingly, on the 23d of January, the party appeared before the committee, and there was a likelihood that after fifteen days of toil and labor spent by the committee before they could arrive at any conclusion, we should at once proceed, in pursuance of these resolutions, to ascertain which five of the ten individuals claiming seats had now a majority of legal votes, and were therefore duly elected members of Congress, when very unexpectedly to the undersigned, the chairman of the committee, moved a reconsideration of these resolutions, with a view to offer substitutes. They were reconsidered accordingly, again discussed, and laid on the table, and the chairman intro-

duced substitutes which were finally modified and discussed, of additional language, in a high degree discreditable to the house, and endangering the peace of the country, and which most greatly impair the confidence of all right-thinking people in the perpetuity of our free institutions.

"Resolved. That the credentials of the Governor of New Jersey are *prima facie* evidence that they who hold them are entitled to the seats, but being questioned on the ground that all the votes polled were not counted, this committee will now proceed to inquire and ascertain who of the ten claimants for the five contested seats received the greatest number of votes polled in conformity with the laws of New Jersey, at the late election for members of Congress in that state.

"Resolved. That all votes received by authorized officers acting in conformity with the laws are *prima facie* legal; but it being alleged and offered to be sustained by evidence, that pluralities were obtained by means of illegal votes and frauds perpetrated on the ballot-box, this committee will admit evidence as to the truth of these allegations, and inquire who of the claimants received the greatest number of legal votes in conformity with the constitution of the United States and the laws of New Jersey, and therefore are entitled to occupy, as members of the 26th Congress, the five contested seats from that state.

"Resolved. That the adoption of the above resolutions does not preclude this committee from reporting the facts and testimony, with its opinion thereon, for the consideration of the house, at any stage of its proceedings that it may deem it expedient to do so.

"Resolved. That a copy of the foregoing resolutions be communicated to each of the claimants to the vacant seats from New Jersey, and that they be informed that the committee has reconsidered and indefinitely postponed the resolutions furnished them on the 23d instant, and that this committee will hear them at their committee room on Saturday the first February proximo, at ten o'clock in the forenoon, on the subject of the measures which should be adopted to obtain the evidence applicable to the inquiry before the committee."

The parties accordingly met again in the committee room, and after they were severally heard, the committee adopted the following resolution:

"Resolved. That we will now take up the testimony which has been referred to this committee in the New Jersey case, and if, during the investigation of the subject, it shall be desired by either party to furnish additional testimony, then the parties be allowed such reasonable time as may be determined by the committee, to take such additional testimony, in the manner prescribed by the laws of New Jersey relating to contested elections, unless the parties agree upon some other mode which may be sanctioned by the committee."

Thus it will be perceived that, before a paper purporting to be testimony in this case, was opened by the committee, it was resolved to decide upon its competency alone; and it was further resolved, that time should be allowed either party to report upon the subject of the question of who received the plurality of legal votes, they desire time also to take testimony:

"Therefore, Resolved. That the chairman be required to notify the several claimants aforesaid, that this committee will not proceed to a final decision if the question of ultimate right depending before them, until the second Monday in April next, at which time the committee will report, the proofs to be closed, and will not receive any testimony taken by either of the parties after that time, but noting in this resolution shall prevent the committee at any time before that day from taking up and deciding said case, if the parties shall desire otherwise."

In justice to the chairman of the committee, it should be stated, that he indicated to the committee an anxious wish that the time allowed for the completion of the proofs, should be abbreviated, with a view to bring the case, upon its merits, before the house, at as early a day as practicable; and three of the undersigned, who were first to ask for time, for it depended on what portion of the testimony might be received, and what rejected on either side.

In pursuance thereof, the committee proceeded to hear objections and arguments on the competency of evidence. Most of the testimony on the part of the non-commissioned claimants, consisted of certificates and sworn copies of papers, the affidavits appended to which were ex parte, and taken without notice. And most of that adduced by the commissioned claimants, besides their commissions, consisted of depositions taken before state officers in New Jersey, upon notice to the opposite party. Numerous objections were taken to the competency of this evidence, but the undersigned felt no embarrassment in respect to any of them, except that which raised an inquiry as to the sufficiency of the notice of taking the deposition; there being no law of Congress or of the state applicable to this case, directing the mode of taking evidence, the committee experienced great difficulty in finding any rule that would do justice to all concerned. The usage of the house for many years, had sanctioned the practice of receiving depositions, in cases of contested election, taken on reasonable notice; but had not settled what was reasonable notice. The commissioned members indicated a willingness that, inasmuch as they were to return to New Jersey to obtain additional proofs, the committee should reject all testimony in respect to which there was much doubt; to the end that they might resume the evidence, and place the matter beyond dispute.

It is proper to state, that this suggestion, made from motives of prudence, avowedly influenced the action of one of the undersigned, who voted for the exclusion of testimony which he would not have hesitated to receive, if compelled to proceed at once and dispose of the case on its merits. The chairman seemed disposed to take a liberal view of the subject, and to admit nearly the whole of the evidence on both sides; treating what we deemed objections to competency as mere objections to the sufficiency of the proofs; the effect of which was, with the aid of the other four members concurring in the report already submitted, to let in much the most important part of the testimony adduced by the non-commissioned claimants, though taken ex parte and without notice. But when the testimony on the other side came under

consideration, the same members voted against its competency, though taken on notices, in some instances at least, ample and abundant; and it so happened that, in consequence of the doubts of one of the undersigned and the influence of a wish which he intimated to have the case cleared of all contrast, by rejecting the evidence much the most important part of a proof offered by the commissioners, the committee was again brought before the house, and a strenuous effort made to instruct the committee to report forthwith, who had received a majority of the votes given at the polls and, on a proposition to amend the resolution by inserting the word "lawful," so as to require the committee to report the *lawful* votes only, a long, earnest, and to some extent, an angry debate arose; and by the casting vote of the speaker, the amendment was adopted; and the resolution was sent to the committee in the following form:

"Resolved. That the committee of election be authorized to report to this house such papers and such of their proceedings as they may desire to have printed by order of the house, and that they be instructed also to report forthwith, which five of the ten individuals, claiming seats from the state of New Jersey, received the greatest number of *lawful* votes from the whole state for representatives in the Congress of the United States, at the election of 1838, in said state, with all the evidence of the truth in their possession: provided, that nothing herein contained shall be so construed as to prevent or delay the action of said committee in taking testimony and deciding the said case upon the merits of the election."

A majority of the committee, paying no regard to absolute instructions of the house, to report the *lawful* votes, decided that the introduction of the word "lawful" did not affect the original meaning of the proposition, and that the resistance it had encountered in the house from four of their own members had no object in it but a perverse and obstinate determination on their part to oppose a perfectly harmless amendment; and they proceeded at once, without deigning to go into an examination of the testimony before them, to make a report on the whole number of votes given at the polls, lawful and unlawful, the men and the boys, the aliens and the citizens, without discrimination, and without stopping to inquire whether the elections were held in the manner prescribed by law, when they knew that allegations had been made and partially established that all these matters would be proven, and many of them, perhaps enough, already proven by the testimony then before them, to change the result, at least in part, if they would have been opened and examined it. But this the committee concluded, and labor throughout their report to prove, they were not authorized to do, because they were directed to report forthwith on the *lawful* votes, and that the effect of that omnipotent and "pungent word" was to neutralize and nullify the word "lawful," and rendered it perfectly nugatory; and that being required to report forthwith on the *lawful* votes, it was necessary to disregard all unlawful votes as *lawful* votes, and that that was what the House intended when by a vote of 90 they determined to insert it.

Why, then, did these gentlemen themselves resist its introduction? It was precisely what they desired! It was exactly what they had struggled for in committee, and why did they not put the same construction on their own merits in committee, when by the casting vote of the chairman it was then decided to insert the word "legal" under the same circumstances? Why did they not then proceed to ascertain who had received a majority of *legal* as well as *legal* votes, and report that fact to the house? Only, we suppose, because that "pungent word" was omitted.

This branch of the report, we confess, we feel much difficulty in preparing, from an indisposition to say any thing that might bear the appearance of a want of a proper deference for the opinions of our colleagues; and yet, we have so little respect for the reasoning contained in that report, that we scarcely know how to characterize or treat it. We do not mean to impeach their motives or their intelligence, but, at the same time, we are impelled to speak of it as the most extraordinary document that has ever come under our observation. Let us compare the resolution of the house with the report of the committee, and ascertain whether the instructions therein contained have been obeyed or disregarded.

By that resolution the committee were instructed to report forthwith, which five of the ten individuals claiming seats from the state of New Jersey, received the greatest number of *lawful* votes, from the whole state, for representatives in the Congress of the United States, at the election of 1838 in said state, with all the evidence of that fact in their possession:

"Provided, that nothing herein contained shall be so construed as to prevent or delay the action of the committee in taking testimony, or deciding the case upon the merits of the election."

Nothing is more abhorrent to a well-regulated mind, than the appearance of deception or treachery in the administration of justice. We will not, for the honor of our country, believe that the highest deliberative assembly in the land, acting as a judicial tribunal, and deciding, not only upon the rights of individuals, but also upon the rights of one of the sovereign states of the Union, will, for a moment, after these parties have been set at bay in confident security that they were to have time to take their evidence, entertain the idea of taking up the case in their absence, and deciding it without a hearing and with the proofs on one side wholly incomplete. Such a procedure would be an example of injustice and perjury so flagrant, and establish a precedent so pernicious, that it would hardly

be respectful to this honorable body to give it a further examination.

At this stage of the proceedings (the parties having returned to New Jersey to complete their testimony,) the subject was again brought before the house, and a strenuous effort made to instruct the committee to report forthwith, who had received a majority of the votes given at the polls and, on a proposition to amend the resolution by inserting the word "lawful," so as to require the committee to report the *lawful* votes only,

and to some extent, an angry debate arose; and by the casting vote of the speaker, the amendment was adopted; and the resolution was sent to the committee in the following form:

"Resolved. That the committee of election be authorized to report to this house such papers and such of their proceedings as they may desire to have printed by order of the house, and that they be instructed also to report forthwith, which five of the ten individuals, claiming seats from the state of New Jersey, received the greatest number of *lawful* votes from the whole state for representatives in the Congress of the United States, at the election of 1838, in said state, with all the evidence of the truth in their possession: provided, that nothing herein contained shall be so construed as to prevent or delay the action of the committee in taking testimony and deciding the said case upon the merits of the election."

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HILLSBOROUGH,
Thursday, April 2.

We are requested to state, that the Rev. George W. Purify will preach at Mars Hill on Saturday and Sunday, the 11th and 12th of April next.

Subscribers in arrears for the Recorder, are earnestly requested to make immediate payment—*we must have money*. Those at a distance can remit through the Postmaster, as he is authorized to transmit money in payment of subscriptions to periodicals, free of postage.

THE UNITED STATES AND GREAT BRITAIN.

The President of the United States transmitted to the Senate on Thursday last, some recent correspondence between Mr. Fox, the British Minister at Washington, and Mr. Forsyth, Secretary of State, relating to the boundary question which has been so long pending between the two governments; the complexion of which, in the view of some, seems to indicate the probability of a hostile termination.

We trust, however, that better councils will prevail, and that no subordinate question will be suffered to interrupt the negotiation upon the main subject in dispute; a happy termination of which might soon be looked for, if proper prudence and forbearance shall be permitted to govern the actions of both governments.

For the settlement of this matter, the government of the United States has made several propositions to that of Great Britain, giving her the choice of either of them. These propositions all look to some commission that shall have power to settle definitively the whole question as to the boundary, by running the line according to the treaty. These propositions have been long before the British government; and from the letter of Mr. Fox, we are informed that the British government are "only waiting for the detailed report of the British commissioners recently employed to survey the disputed territory, which report it was believed would be completed and delivered by the end of the present month (March), in order to transmit to the government of the United States a reply to their last proposal upon the subject of the boundary negotiation." It may, therefore, be hoped that the answer of the British government will be such as may lead to an amicable and final settlement of the question.

A District Convention for the sixth Electoral District, composed of the counties of Guilford, Randolph and Chatham, was held at Asheborough on the 25th ult., at which the Hon. Abram Rancher was nominated as the Whig candidate for Elector for that district. A number of spirited resolutions were adopted by the convention, among which was the following:

Resolved. That the nominee of this convention be and is hereby requested to canvass the whole district thoroughly, and to address the people on the great questions of national politics.

We understand it is the intention of Mr. Rancher to comply with the request in this resolution. His capacity as a public speaker, and the general estimation in which he is held, will add much to the Whig cause, already popular in that district.

HOUSE OF REPRESENTATIVES.

Thursday, March 19.

The resolution for printing the testimony in relation to the New Jersey contested election still being the unfinished business of the morning hour, Mr. Hand resumed his remarks, and spoke until the conclusion of the hour.

The house then resolved itself into a committee of the whole, and took up the treasury note bill. Mr. Bond resumed the floor, and continued to address the committee until past two o'clock. Mr. Vanderpool followed, and spoke in favor of the bill until five o'clock, when the committee rose, and the house adjourned.

Republican Touchstone.—The first number of a paper bearing this title, has been issued by Mr. Lemay, from the Star Office at Raleigh. He proposes to issue it once a week from the 1st of May to the 1st of November for one dollar. The Touchstone will advocate the election of William H. Harrison for the Presidency, John Tyler for the Vice Presidency, and John M. Morehead for Governor—and the true republican principles for which the Whigs have been long and nobly contending. May success attend his enterprise.

Twenty-Sixth Congress.
FIRST SESSION.

IN SENATE.

Thursday, March 19.

The bill to provide for the payment of damages sustained by individuals by the wars with the Indian tribes since 1830, was ordered to be engrossed. The Senate then proceeded to the consideration of executive business.

Friday, March 20.

Mr. Benton presented a paper from the treasury department, showing the operations of the British mint. Mr. Benton desired that this paper might be printed, in connection with that submitted the other day from the treasury department, showing the amount of exports and imports of gold and silver coin and bullion. The object, he said, was to show that there was a great deal more specie than was supposed. In three years there had been fifty millions of pounds sterling coined in gold, besides ten millions in silver change, and showing an aggregate of three hundred millions in little better than twenty years.

Mr. Webster would make no objection to the printing; but if it was meant to show the quantity of specie in circulation, the document would fail of the object, because it did not show what quantity was used every year in the arts and melted into bullion.

The bill providing for the payment of damages sustained by individuals by the wars with the Indian tribes since 1830, was ordered to be engrossed for a third reading.

The Senate then proceeded to the consideration of executive business.

Monday, March 23.

After the presentation of numerous petitions, and one or two reports from committees on private cases, the Senate proceeded to the consideration of executive business, with which it was occupied till the usual hour of adjournment.

Tuesday, March 24.

After the presentation of a few memorials and reports on private cases, the Senate went into the consideration of executive business, in which it was occupied until the usual hour of adjournment.

Wednesday, March 25.

After the presentation of a few memorials and reports from committees, the Senate was again occupied in the consideration of executive business until the usual hour of adjournment.

Thursday, March 26.

The Senate spent some time in executive session, after which,

Mr. Benton, from the committee on finance, to which was referred the bill to reduce the drawbacks on refined sugar and rum, and to reduce the fishing bounties and allowances in proportion to the reduced duties on sugar, molasses and salt, reported the same without amendment; and it was on motion made the order of the day for Monday the 15th of April.

The bill for the continuation of the Cumberland road in the states of Ohio, Indiana and Illinois, was then taken up, and the question being taken on the amendment proposed by Mr. Norvell, it was lost—aye 1, nays 34.

Mr. Benton moved to amend the bill, by inserting after "Illinois," the words "east of Vandalia;" which was agreed to.

Mr. Clay of Alabama, proposed to amend the bill by striking out the last section, (the two per cent. clause.) After some remarks by him, and Mr. Young, the bill was postponed, and made the order of the day for to-morrow.

HOUSE OF REPRESENTATIVES.

Thursday, March 19.

The resolution for printing the testimony in relation to the New Jersey contested election still being the unfinished business of the morning hour, Mr. Hand resumed his remarks, and spoke until the conclusion of the hour.

The house then resolved itself into a committee of the whole, and took up the treasury note bill. Mr. Bond resumed the floor, and continued to address the committee until past two o'clock. Mr. Vanderpool followed, and spoke in favor of the bill until five o'clock, when the committee rose, and the house adjourned.

Friday, March 10.

The New Jersey case again coming up, Mr. Brown of Ten. (a member of the majority of the committee.) took the floor in defense of the report and of the whole course of the majority, in reply to the speech of Mr. Jenifer. He continued to speak until near the close of the morning hour. The previous question was then moved; but after some conversation it was withdrawn, and Mr. Botts took the floor, but had not proceeded far when, the hour having expired,

The house again went into committee of the whole, and the residue of the day was devoted to the consideration of bills on the private calendar.

Saturday, March 21.

The New Jersey case was again taken up, and Mr. Botts continued his speech until the expiration of the hour. The house then proceeded to the consideration of private bills.

Monday, March 23.

The whole of the day was occupied in the reception and disposition of resolutions.

Tuesday, March 24.

The New Jersey case again coming up as the unfinished business of the morning, Mr. Botts concluded his remarks until the expiration of the hour.

The house then resolved itself into a committee of the whole on the state of the union. Mr. Dawson of Georgia in the chair, on the bill authorizing the issue of treasury notes. The remainder of this day, all the night, and the whole of the next day, were occupied in the consideration of this bill. During the night some hours were lost for the want of a quorum; and under the operation of a call of the house, several members were brought from their lodgings in custody of the sergeant at arms, some of whom were fined and others excused because of indisposition.

Thursday, March 26.

The New Jersey case again coming up as the unfinished business of the morning, Mr. Botts concluded his remarks. The previous question was then moved; but was afterwards withdrawn, and Mr. Medill commenced a reply to Mr. Botts, and proceeded to the expiration of the hour; when the house proceeded to the orders of the day.

Reports from the majority and minority of the select committee on the public printing, heretofore appointed, were presented, which, together with all the testimony taken before the committee, and their journal, were ordered to be printed for the use of the house.

The treasury note bill was then taken up in committee of the whole. Several amendments were proposed; one by Mr. Montgomery, authorizing the lowest denomination of notes issued to be ten dollars instead of fifty; one by Mr. Underwood, to prohibit the secretary of the treasury from issuing them to any other than bona fide creditors of the government. The debate was continued to a late hour, the floor principally occupied by administration members. The committee then rose, reported progress, and asked leave to sit again. The bill was then made the special order for to-morrow, at 12 o'clock, to take precedence of the hour, when the house proceeded to the orders of the day.

The Boundary Question.—On this subject, the Halifax (N. S.) Haligonian of the 3d inst. says:

"The Boundary question, that prolific source of discord for the last thirty years, has now become a subject of such engrossing consequence that unless measures be adopted for settling the question, more coercive measures must be resorted to. The editor of the Quebec Gazette states it as his belief that England would rather relinquish a portion of her rights than to proceed to hostilities, and from all we can learn of the value of the Disputed Territory, apart from other considerations, we think this would be the more judicious course, as a war with the United States, let it terminate as it would, could not but be attended with the most disastrous consequences. A report has gone forth, that Great Britain has determined upon maintaining her rights, and refusing to yield up any portion of the bone in contention: this, however, we believe to be unfounded."

Last week, at Iredell Superior Court, his honor Judge Settle, presiding, John Hoover received sentence of death, after an unsuccessful appeal to the Supreme Court from the Fall term of Iredell, Friday the 15th May, was fixed upon for his execution.

John Klutta was arraigned, tried and found guilty of feloniously seducing away and carrying off a slave the property of William Morton, Esq. of that County. He received the sentence of the law, and was condemned to be hung on Friday, the 29th May next.

Azel Yates, a youth of 16 or 17, was convicted of horse-stealing, and received twenty-five lashes by way of correction and punishment.

An Important Convert.—Ex Governor Kinney, of Illinois, one of the most influential and decided friends Gen. Jackson ever had in that State, has come out in a publication under his proper signature, in favor of Gen. Harrison, and against the Sub-Treasury National Bank measure now proposed. He says the system "has been in full operation for hundreds of years in Spain, and has produced nothing but monarchy and aristocracy."

We learn that at the Convention, held this week at Smithfield, Charles Manly, esq. of this city, was nominated as the Elector on the Harrison and Tyler ticket, for the district composed of the counties of Wake, Johnston and Wayne. We are truly gratified at this selection; for independent of the fact, that it is a compliment just due to the uniform consistency of that gentleman's political character, such is his proverbial urbanity of manner, and great personal popularity, that we are confident his name will be a tower of strength to the good cause.

We learn moreover, that Judge Saunders was present at Smithfield (being the week of the Superior Court) and addressed the people at great length. He was replied to, however, by Mr. Manly, in a speech, which is represented by our informant, as having been one of the most effective he ever heard. He says, that the impression made by Mr. M. was most visible, and of that character which, he is certain, will be permanent in its effects. We know that Mr. Manly is thoroughly roused as to the importance of the contest now going on between power on the one hand, and popular rights on the other; and we know, also, how acceptable he always makes himself to his

auditory, when he is "in the vein." We have no doubt, therefore, that the report of our informant is "true to the letter," and we feel that it is cause of gratulation to every true Whig, to hear of men like Manly and Badger, engaged in the duties of a laborious profession, zealously entering the lists to do battle on the side of sound principles. It is "a sign," that North Carolina will neither be caught napping, nor frightened into a surrender.

Register.

ed from the state of last Fall, and, instead of a majority of 900 votes against us, gave on Friday a majority of upwards of 500 in favor of the Whig candidates.

From Franklin county, we hear that the Whigs carried the election by increased majorities, not only in Hillsborough, but in other Districts. A letter from that county, dated on Saturday, says: "You may set down Franklin County for 750 majority for Old Tip, and there seems to be a settled determination to oust the Spencers, and I am certain that nothing can stay the current that has set in so strong against them."

Nat. Int.

From the Yeoman.

Every man familiar with the political history of the country remembers the eloquent and spirit-stirring efforts of John Holmes, in the Massachusetts Senate, during the last war. His speeches went the rounds of the republican papers of that day, and none praised them higher than did the Richmond Enquirer. This was at the period in which Mr. Van Buren was supporting Dr. Wm. Clinton for President against Mr. Madison. Let this be borne in mind. It is among the records of the times, and Mr. Van Buren's friends cannot deny it. Mr. Holmes was afterwards for many years in Congress, as a representative and senator from Maine, and in both houses was familiar with the capacity and services of Gen. Harrison. In a late correspondence with Moses Carlton, esq., an old Republican, Mr. Holmes thus speaks of the People's candidate:

"The chief inducement to resume the arduous and responsible duties of an editor, is the hope that he may now contribute something towards the election of Gen. Harrison. The fidelity, ability, firmness, and moderation with which that eminent citizen has discharged the most responsible and difficult public trusts—his unexampled popularity as the Chief Magistrate of the territories north-west of the Ohio—the unimpeached integrity of his public life—his amiable, courteous, and dignified respect for the laws and public opinion, are guarantees that, if elected, he will bring into the administration faithful, competent, and honest men, who will devote all the constitutional means of the government to restore confidence, and thus revive the industry, enterprise, credit, and prosperity of the country, now paralyzed by unskillful and incompetent public agents. The Pilot will review the course of the present administration, and discuss freely the fraudulent speculations in the public lands, and their connexion with the subsequent warfare on the banking institutions of the country. In doing this, the present and past administrations will be identified; and their measures examined and contrasted. The present unexampled condition of the country, the causes in which it originated, and the inevitable consequences of continuing power in the same hands, will be boldly and faithfully treated."

The Boundary Question.—On this subject, the Halifax (N. S.) Haligonian of the 3d inst. says:

"The Boundary question, that prolific source of discord for the last thirty years, has now become a subject of such engrossing consequence that unless measures be adopted for settling the question, more coercive measures must be resorted to. The editor of the Quebec Gazette states it as his belief that England would rather relinquish a portion of her rights than to proceed to hostilities, and from all we can learn of the value of the Disputed Territory, apart from other considerations, we think this would be the more judicious course, as a war with the United States, let it terminate as it would, could not but be attended with the most disastrous consequences. A report has gone forth, that Great Britain has determined upon maintaining her rights, and refusing to yield up any portion of the bone in contention: this, however, we believe to be unfounded."

But my personal acquaintance with Gen. Harrison is as a witness. We were members together in the House of Representatives of the U. States from 1817 to 1820, and in the Senate from 1825 to 1827 inclusive, and were on intimate terms.

Gen. Harrison is a scholar and a gentleman—as well as a soldier and statesman. Few men in the United States are better versed in military science and history. As a speaker, his voice and articulation are clear and distinct, his diction is pure and classical, and his eloquence persuasive and impressive. He stood high as representative and senator, and on military subjects he was especially instructive and edifying.

As a man and a citizen, his character is unexceptionable. He is liberal, kind and humane. Instances of his commissary for the defenseless inhabitants on the frontier, when exposed to the merciless savages, might be mentioned, truly interesting and affecting. Sure I am, were Gen. Harrison as well known here as he is at home, no man would be more popular or better loved.

Though he has been long and high in public life, he is comparatively poor, having not only applied faithfully the public funds with which he was entrusted, to public uses, but having expended much of his own fortune to relieve the distresses of his countrymen.

I am, with sentiments of sincere respect, your friend, &c.

JOHN HOLMES.

As to the state of New York, the Whigs of the Union do not feel the least apprehension. It is here as in Ohio, all setting one way. Old Tippecanoe will run ahead of any, and all, even our most popular tickets, and General Jackson fashion take in every thing with him.

New York Express.

A Mistake.—The Montgomery Advertiser is out in a labored article defending the project of Mr. Buchanan to reduce the wages of the laboring men of the country, and goes into quite an elaborate argument, quoting old Cobbett to prove how much better off laborers would be to have sixpence instead of three shillings a day. But the Advertiser is a little too fast. Mr. Buchanan himself is now trying to back out from his position. He begins to see that the free working

men of the country do not like it—they have no notion of coming down to the hard money standard of Edward the Third.

Emp. State.

THE MARKETS.

Raleigh, March 31.

Flour,	4 50	a	5 00
Corn,	0 50	a	0 50
Cotton,	0 7	a	0 00
Bacon,	0 08	a	0 07
Cream,	0 28	a	0 28
Meat,	0 12	a	0 12
Coffee,	0 06	a	0 06
Corn,	0 65	a	0 60
Flax-seed,	1 00	a	0 90
Flour,	3 75	a	4 50
Feathers,	0 40	a	0 40

Fayeteville, March 31.</

NO CONSUMPTION.
Queensware, Glass,
and
China.

James A. Taylor,
17 Water Street, New York,
has respectfully to inform his old customers and friends, that he is now opening a complete assortment of Rich China, Cut and Plain Glass Ware, and Printed and Common Glassware, which is offered on terms suit the state of the times.

Being entirely disconnected with any combination for the support of high prices, the subscriber will resume the manner of conducting his business, in which he was so successful some years past in the old house of T. J. Barrow & Co. and hopes to receive the support of the former patrons of his old firm. In order to afford Goods at the lowest possible rate, it will be necessary to confine all sales exclusively to Cash, or short city paper. Virginia, North Carolina, or Pennsylvania Funds received in payment for Goods. Merchants visiting the city, are invited to call. Orders, by letter, promptly attended to.

JAMES A. TAYLOR,
79 Water St. near Old Slip,
New York; March 2, 1840. 12-

WILMINGTON CHRONICLE.

THE Editor of the Wilmington Chronicle, having by the fire of the 17th of January, lost all the materials of his office, on which there was no insurance, and being desirous of resuming the publication of the paper as soon as possible, in order to enable him to do so he makes an appeal to the public for an increase of his subscription list. The political character of the Chronicle is Whig. The Editor has given him, however, to discuss what he conceives to be true political sentiments, with justice and fair dealing towards those entertaining different opinions, and to discuss matters with a courtesy proper among all men. This will be its future course. But independently of these considerations, there is now so large portion of the State connected with Wilmington by the ties that grow out of frequent intercourse and commercial dealing, that the newspapers of the place should have an extensive circulation.

The price of the paper was \$2 50, in advance; but experience has proved that a paper cannot be afforded in Wilmington for that sum, and the subscription of the Chronicle will therefore be hereafter \$3 00 in advance.

Wilmington, Jan. 30. 09-

Consigned to us For Sale,

1500 ORANGES.
8 Boxes of RAISINS,

A quantity of ALMONDS.

And a parcel of Good Family FLOUR.

The above articles will be sold at reduced prices.

ICKLE & NORWOOD.

February 12. 08-

Notice.

THE Firm of R. NICHOLS & CO. was dissolved on the first day of January, 1840, by mutual consent. The business will hereafter be conducted by R. Nichols.

R. NICHOLS,
P. JONES,
C. JONES, Jr.

February 5. 07-

Typographical Notice.

A PRACTICAL PRINTER, who has had considerable experience in conducting a newspaper, desires to take charge of a newspaper, as "Principal," in North Carolina, Georgia, or Mississippi. He would have no objection to associate himself with any gentleman embarked in the printing business in either of the States last named, as he is very anxious to plant his press, permanently, in Georgia or Alabama. His politics are of the Jeffersonian school, and, consequently, at war with many of the leading measures of the present Administration.

Unexceptionable testimony of good character can be adduced. Address "O. P. Q. Hillsborough, North Carolina," postage paid.

Will the Raleigh "Standard," "Register," and "Star," and the papers generally in Georgia and Alabama, give this notice an insertion? By so doing they will oblige.

A PRINTER

Jan. 28, 1840.

Choice Liquors, &c.

JUST RECEIVED from New York, and for sale by the subscriber.

Superior Cognac Brandy,

" Holland Gin,

" Jamaica Rum,

Madeira,

Port,

Malaga,

Muscat,

Claret,

London Brown Stout

Pale Ale,

Irish Whiskey,

Lemon Syrup,

Lime Juice,

Lump Sugar.

The subscriber will keep constantly on hand, for sale, well-made CARRYALLS, and Large and Small ROAD WAGONS.

THOS. D. CRANIN,

August 7. 82-

Notice.

Mrs. VILLEUR has just received for sale, a fresh supply of the following articles.

Candies,

Soda Crackers,

Butter Crackers,

Ship Bread,

Scotch Herring,

Cocoa Nuts,

Cheese Tobaccos,

A variety of Choice Segars.

ALSO.

French Jujube Paste, good for coughs and colds.

The above articles will be found to be of excellent quality.

November 6. 95-

OCEOLA.

THIS splendid Stallion,

descended from the Archie and

Dion stock, will make his third

stand at his own stable, near the

Alamance Factory, Orange. His

bolts are promising, large, and well formed for service and easy keep.

MICHAEL HOLT.

February 12. 08-5w

Job Printing,

EXECUTED AT THIS OFFICE.

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Ladies' and Gentlemen's India Rubber Over-shoes.

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